

2001-359-C 2 NO2018-28-C 279331

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VIA OVERNIGHT MAIL

October 24, 2018

Ms. Jocelyn Boyd, Chief Clerk/Administrator Public Service Commission of South Carolina 101 Executive Center Dr., Suite 100 Columbia, SC 29210 001 2 5 2018 MAIL/SNIS

RE: Momentum Telecom, Inc. Application for Proposed Discontinuance and Request to Cancel Certificate

Dear Ms. Boyd:

Momentum Telecom, Inc. ("Momentum"), through undersigned counsel, submits the enclosed Application to Discontinue Services ("Application") pursuant S.C. Code Ann. § 58-9-300. In the Application, Momentum requests authority to discontinue its provision of telecommunications services within the State of South Carolina and also seeks to relinquish its Certificate of Public Convenience and Necessity ("CPCN") granted in Docket No. 2001-359-C on December 5, 2001 (Order Number 2001-1092).

On or before October 12, 2018, Momentum provided written notice of the planned discontinuance of the affected services to all of its customers, and proposes to discontinue all services that it is authorized to provide in the State of South Carolina pursuant to its CPCN on or after December 15, 2018, pending regulatory approval.

Momentum also hereby provides notice to the Commission of its Application to Discontinue Service that it filed with the Federal Communications Commission on October 23, 2018. A copy of the Discontinuance Application is attached.

Questions or inquiries regarding this Notice and Application may be directed to the undersigned. An extra copy of this letter is enclosed, as is one copy for stamp and return purposes. Please date-stamp and return in the self-addressed envelope included with this filing.

Respectfully submitted,

Christopher A. Cook

Counsel to Momentum Telecom, Inc.

Encls.

ND 2018-28-C

Before the FEDERAL COMMUNICATIONS COMMISSION Washington, DC 20554

In the Matter of)	
Section 63.71 Application of) WC Docket No	
Momentum Telecom, Inc.)	
) File No	
For Authority Pursuant to Section 214 of)	
Γhe Communications Act of 1934, As)	
Amended, To Discontinue the Provision of)	
Service)	

SECTION 63.71 APPLICATION OF MOMENTUM TELECOM, INC

Momentum Telecom, Inc. ("Momentum") applies for authority under Section 214(a) of the Communications Act, as amended ("the Act")¹, and Section 63.71 of the Commission's rules,² to discontinue Momentum's provision of local exchange telecommunications services in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, South Carolina, and Tennessee.

Momentum provides the following information pursuant to Section 63.71 of the Commission's rules:

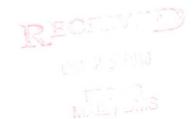
1. Name and Corporate Headquarters Address of Carrier

Momentum Telecom, Inc. 880 Montclair Road, Su te 400 Birmingham, Alabama 35242

FRN: 0005075403



² 47 CFR § 63.71.



Correspondence concerning this Application should be sent to:

Michael C. Sloan
Davis Wright Tremaine LLP
1919 Pennsylvania Ave. NW
Suite 800
Washington, DC 20006-3401

Telephone:

202.973.**4**227

Fax:

202.973.4427

Email:

michaels oan@dwt.com

2. Date of Planned Service Discontinuance:

Momentum plans to discontinue the services that are the subject of this Application on or after December 15, 2018, pending federal and state regulatory approval.

3. Points of Geographic Areas of Service Affected:

Momentum proposes to discontinue providing local exchange telecommunications services in the above-identified states. As of October 12, 2018, Momentum had approximately 2,719 customers in the target states, broken out as follows:

Alabama (533), Florida (19), Georgia (367), Kentucky (328), Louisiana (522), Mississippi (430), South Carolina (158), and Tennessee (362).

4. Brief Description of Types of Service Affected and Reason for Discontinuance:

Momentum proposes to discontinue service to retail local exchange service customers who are served via resale arrangements with AT&T. These customers were formerly "UNE-P" service customers who were transferred to AT&T resale arrangements in the mid-2000s.

Momentum has continued to serve this dwindling customer base but it is no longer economical to do so. Also, providing retail telecommunications services is no longer part of Momentum's business model. Because these customers are all served via the AT&T network, they should have AT&T retail service available to them when the Momentum service is discontinued, as well

as other service options such as pable voice over Internet protocol ("VoIP") services and wireless.

5. Brief Description of the Dates and Methods of Notice to All Affected Customers:

On or before October 12, 2018, Momentum provided written notice of the planned discontinuance of the affected services to all of its customers consistent with Section 63.71(a) of the Commission's rules.³ A copy of the notice is attached hereto as Exhibit A. The written notice was provided to Momentum's existing customers via U.S. First Class mail. In the notice, Momentum provided its planned date of discontinuance and notice of the availability of alternative service providers.

6. Whether the Carrier is Gonsidered Dominant or Non-dominant with Respect to the Service to be Discontinued.

Momentum is considered non-dominant in all locations it serves with respect to the service that will be discontinued.

7. Other Information.

In accordance with Section 63.71(a) of the Commission's rules,⁴ a copy of this Application is being mailed concurrently with its filing to the entities listed on the attached certificate of service.

^{3 47} CFR § 63.71(a).

⁴ See id.

Conclusion

The public convenience and necessity will not be adversely affected by the discontinuance of the services described herein. Momentum has provided the requisite notice to all its only customers, each of whom has access to several readily available substitute services.

Therefore, Momentum respectfully requests that the Commission approve its Section 63.71

Application to discontinue the affected service.

Respectfully Submitted,

/s/ Michael C. Sloan

Michael C. Sloan Davis Wright Tremaine LLP 1919 Pennsylvania Ave., NW Washington, DC 20006

Counsel to Momentum Telecom, Inc.

DATED: October 23, 2018

CERTIFICATE OF SERVICE

I, Christopher Cook, do hereby certify on this 23rd day of October that a true and correct copy of the foregoing "Section 63.71 Application of Momentum Telecom, Inc" has been sent via U.S. mail, postage prepaid to the following:

Secretary of Defense Attn. Special Assistant for Telecommunications Pentagon Washington, DC 20301

Office of the Governor State Capitol 600 Dexter Avenue Montgomery, AL 36130

Office of the Governor The Capitol 400 South Monroe Street Tallahassee, FL 32399

Office of the Governor 206 Washington Street 111 State Capitol Atlanta, GA 30334

Office of the Governor 700 Capital Avenue, Suite 100 Frankfort, KY 40601

Office of the Governor P.O. Box 94004 Baton Rouge, LA 70804

Office of the Governor P.O. Box 139 Jackson, MS 39205

Office of the Governor 20301 Mail Service Center Raleigh, NC 27699

The Office of Governor Mary Fallin Oklahoma State Capitol 2300 N. Lincoln Blvd., Room 212 Oklahoma City, OK 73105 Alabama Public Service Commission 100 North Union Street, Suite 850 Montgomery, AL 36104

Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399

Georgia Public Service Commission 244 Washington Street, SW Atlanta, GA 30334

Kentucky Public Service Commission 2011 Sower Boulevard Frankfort, KY 40601

Louisiana Public Service Commission 602 North Fifth Street P.O. Box 91154 Baton Rouge, LA 70821

Mississippi Public Service Commission 501 North West Street Woolfolk State Office Bldg. Jackson, MS 39201

North Carolina Utilities Commission 430 North Salisbury Street Raleigh, NC 27603

Oklahoma Corporation Commission P.O. Box 52000 Oklahoma City, OK 73152-2000 Office of the Governor 508 Main Capitol Building Harrisburg, PA 17120

Office of the Governor 1205 Pendleton Street Columbia, SC 29201

Office of the Governor 1st Floor, State Capitol Nashville, TN 37243

Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105-3265

South Carolina Public Service Commission 101 Executive Center Drive Columbia, SC 29201

Tennessee Regulatory Authority 502 Deaderick Street, 4th Floor Nashville, TN 37243

/s/ Christopher Cook Christopher Cook

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Attn. Special Assistant for Telecommunications
Pentagon
Washington, DC 20301

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Georgia Public Service Commission 244 Washington Street, SW Atlanta, GA 30334

Kentucky Public Service Commission 2011 Sower Boulevard Frankfort, KY 40601

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Mississippi Public Service Commission 501 North West Street Woolfolk State Office Bldg. Jackson, MS 39201

North Carolina Utilities Commission 430 North Salisbury Street Raleigh, NC 27603

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Office of the Governor 1205 Pendleton Street Columbia, SC 29201

Office of the Governor 1st Floor, State Capitol Nashville, TN 37243

Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105-3265

South Carolina Public Service Commission 101 Executive Center Drive Columbia, SC 29201



Tennessee Regulatory Authority 502 Deaderick Street, 4th Floor Nashville, TN 37243

/s/ Christopher Cook
Christopher Cook

EXHIBIT A

CUSTOMER NOTICE



October 12, 2018

YOU MUST CHOOSE A NEW LOCAL AND LONG-DISTANCE TELEPHONE SERVICE PROVIDER

Dear Valued Momentum Customer,

Thank you for being a valued Momentum customer. This letter is to inform you that Momentum is changing its telephone service offerings and that effective on or shortly after December 15, 2018, Momentum will no longer be providing its current phone service in your community.

Your action is required! Because Momentum will discontinue all phone service as of December 15, 2018, you need to select a new telephone service plan as soon as possible if you wish to retain your current telephone number and assure continuity of service. You must also select a new long distance provider if you use Momentum for your long distance service. You do have the option to purchase local and long distance telephone service from other service providers in your area. A list of alternate service providers may be found in the front of your local telephone directory.

The proposed discontinuance of your local telephone service is subject to regulatory approval by the Federal Communications Commission (FCC). The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the Commission releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington DC 20554, and include in your comments a reference to the § 63.71 Application of Momentum Telecom. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

TAKE ACTION NOW

Please take immediate action to select a telephone service provider on your choice. If you do not switch your service to another provider before December 15, 2018, your service will be terminated and you may not be able to retain your current telephone number. Please take action NOW to avoid interruption in your service. If you would like to transfer your service to AT&T you can contact them at (800) 288-2020.

If you have any questions, please call Momentum Customer Service at (800) 466-2210.

Sincerely, Momentum Telecom, Inc.